

## NOTES AND MEMORANDA.

The Imperial Social Hygiene Congress which was held at Wembley in October under the Presidency of the Rt. Hon. Sir Auckland Geddes, G.C.M.G., K.C.B., was very well attended and should be far-reaching in its influence, as men and women from all parts of the Empire contributed to the papers and discussions. It dealt exclusively with the Venereal Diseases, their incidence, prevention and cure, and it was evident that the disease is no respecter of persons, but attacks its victims with equal vigour regardless of their social position or environment. Dr. H. M. Hanschell, D.S.C., M.R.C.S., who has had considerable experience with patients of all nationalities at the Albert Docks Seamen's Hospital, summed up at the close of his able paper, that in his opinion "on the question of racial influence on the course of venereal disease a mind open to doubt appears, at present, reasonable.

In conclusion, if the investigation of racial differences in venereal disease, within the limits reported in this paper, warrants a moral, it is that—in no one of the racial groups considered is any of the venereal diseases any more negligible than in any other of the three racial groups.

There is just as much, or as little, medical justification and urgency for the treatment and prevention of the several venereal diseases in the Chinaman, Indian and Negro, as in the North European.'

The Secretary, Mrs. Neville Rolfe, O.B.E., is greatly to be congratulated on the success of the Congress.

## Mental Hygiene.

The National Council for Mental Hygiene now issues its first Report, and eugenists will be interested to watch the work of this group. The names of the Committee warrant anticipation of considerable achievement, and the sub-committees may be enumerated; apart from the cinderella group of six which is to collect funds, No. I. is on The Prevention and Early Treatment of Mental Disorders; No. II. for The Care, After-care and Treatment of the Insane; No. III. on Mental Deficiency and Crime. Major Darwin is serving on this latter.

We may quote: "The Council hopes to be the liaison between all societies, associations, and other bodies interested in or concerned with mental hygiene, in so far as it can with advantage co-operate with them."

To some extent this society may be regarded as the legitimate offspring of the fresh interest in and work for insanity, which followed the publication of that remarkable book, "A mind that Found Itself."

Amongst some of the points of interest occurring in the Appendix are a precis of the evidence given before the recent Royal Commission, and an analysis of the numbers of patients needing early treatment, and a list of existing facilities for these. Also a resumé of points constituting After-care. There is also a memorandum drawn up for the

Home Office by Dr. Potts on Criminal Assaults on Young Persons, and another analysis of probable causes of Mental Defect. This is probably only regarded as a confession of faith by this eminent council; in the main the points enumerated being those which no physiologist would dare to exclude. It is too wide and hypothetical to be of great assistance, except as bibliography.

Report, 1924-5. The National Council for Mental Hygiene, Windsor House, Victoria Street, S.W.1.

## Survey of Marriage Laws, etc.

**Austrian Republic:**—*Chief impediments to Marriage* are consanguinity, mental disease, and differences in religion between Christians and non-Christians. A *Matrimonial Consultation Bureau* has been opened in Vienna, at which engaged couples may obtain advice before marriage. The bureau is under the direction of a medical specialist, and applicants may, if they wish, be medically examined. The doctor is not empowered to forbid a marriage, but he may advise couples not to marry. *Birth-control*—there is no statutory prohibition of teaching or practice of birth control. *Divorce*.—Principal grounds for divorce are adultery, venereal disease, desertion, and an attempt against the petitioner's life.

**Belgium:**—*Divorce*.—Cruelty, adultery and serious injury are the chief grounds. *Abortion*, etc.—Under a law of 1923, it is a penal offence to expose, sell or distribute any printed or written matter which has as its object the procuring of abortion; or to make, distribute or import, etc., any drugs or appliances to this end; or to expose, sell etc., any written matter which gives information as to the prevention of conception. A *League of Large Families* exists to encourage an increase in the birth rate.

**United States of Brazil:**—*Divorce*.—Principal grounds are: adultery (on wife's part) attempts against life of either party by the other, and desertion.

**Commonwealth of Australia:**—Law of Marriage and divorce follows that of England with certain variations which are noted under the several states:—

**New South Wales:**—*Divorce—Principal Grounds:* (1) for wife:—adultery, desertion, or habitual drunkenness and neglect of domestic duties for three years, imprisonment for three years and upwards, and conviction for attempt to murder. (2) for husband:—adultery, desertion, or habitual drunkenness, coupled with neglect to support or cruelty, for three years; imprisonment under sentence for at least seven years, and attempted murder.

**Queensland:**—Insanity for five years is a ground for divorce.

**Victoria:**—Insanity a ground for divorce since 1919.

**Western Australia:**—*Divorce—Principal grounds:*—adultery, sodomy, or bestiality on husband's part, adultery on wife's part; desertion by either party for 8 years, habitual drunkenness on hus-

band's part coupled with desertion or neglect to support the wife, or on the wife's part, neglect of domestic duties, imprisonment for not less than three years, and insanity.

**Canada** :—Generally speaking, English practice is followed, subject to minor variations which are referred to under the several provinces :—

**British Columbia** :—No marriage of any person under the age of 16 may be solemnised unless an order is made by a Judge of the Supreme Court or County Court. No statutory prohibition of the teaching or practise of birth control.

**Manitoba** :—Minimum legal age for marriage is 18. *Divorce*—*Principal grounds* (1) *Wife*: adultery. (2) *Husband*: incestuous adultery, bigamy with adultery, rape, sodomy, bestiality, adultery coupled with cruelty or desertion without reasonable cause for two years or upwards.

**New Brunswick** :—*Divorce* may be granted for adultery, frigidity, impotence or bigamy. Judicial separation for prolonged desertion, non-support, and excessive cruelty.

**Nova Scotia** :—*Divorce* may be obtained on grounds of adultery, impotence, or cruelty.

**Ontario** :—English law prevails, with certain modification, among which is the raising of the minimum age for marriage in either sex to 18. There is no statutory prohibition of the teaching or practice of birth control.

**Province of Prince Edward Island** :—*Divorce*—principal cause are frigidity, impotence, adultery and consanguinity.

**Saskatchewan** :—The principal impediments to marriage are consanguinity and insanity.

**Yukon Territory** :—Principal impediment to marriage is consanguinity.

**Irish Free State** :—Marriage is subject to civil law only and consanguinity is the principal impediment. Full *divorce*, with freedom to marry again, can only be obtained by the passing of a private bill through Parliament.

**Dominion of Newfoundland** :—There is no divorce law.

**New Zealand** :—*Divorce* may be granted for adultery by either party, desertion, bigamy, cruelty, drunkenness, insanity, failure to comply with an order for restitution of conjugal rights, or separation for not less than three years.

**Western Samoa** :—Principal impediment to marriage is consanguinity, and marriage between Chinese labourers serving under agreement, and Samoan women is also prohibited.

**South Africa** :—

**Cape of Good Hope** :—*Divorce*—Principal grounds are desertion, adultery and incompatibility.

**Mauritius:**—Marriage is prohibited within certain degrees of consanguinity. *Divorce*—Principal grounds applicable to men and women alike, are bigamy, adultery, incest, wilful desertion, cruelty, and sentence to penal servitude for five years or longer.

**Southern Rhodesia.**—The principal impediments to marriage are insanity impotence and consanguinity.

**Crown Colony of Ceylon:**—The principal impediment to native marriage is endogamy. Among the Sinhalese and Samils, hypergamy (marriage with a person of a different class) is also prohibited, as is the marriage of first cousins which is regarded as incestuous.

**Kingdom of Bulgaria:**—Those suffering from insanity, epilepsy, or syphilis are prohibited from marriage, and consanguinity is also an impediment. *Divorce*—chief grounds are:—prolonged absence of husband (4 years without sending subsistence to the wife), refusal of cohabitation on the part of the wife for three years, adultery, drunkenness, violence or the causing of physical dread, impotence, mental affliction, syphilis and sentence to penal servitude.

**Czechoslovakia:**—*Divorce*—principal grounds for divorce throughout the republic are:—adultery by either party, sentence of imprisonment for not less than three years, or for a shorter period for a criminal offence, desertion, the endangering of life or health of either by the other, repeated cruelty or slander, dissoluteness, permanent or periodic mental disturbance.

**Denmark:**—*Divorce*—the grounds apply equally to both men and women, and are:—bigamy, adultery or immoral conduct, refusal of cohabitation for two years without satisfactory cause, disappearance without news for three years, exposure to venereal disease, cruelty, the commission of crime for which sentence of two years or longer is passed, and mental affliction lasting for three years without chance of cure.

**Republic of Ecuador:**—Couples desiring to marry must obtain a medical certificate that they are not suffering from an incurable or contagious disease, and this certificate must be presented to the authority before whom the marriage is to be celebrated.

**Finland:**—*Principal causes for divorce* are adultery and desertion, but the State also possesses power to grant divorce in cases of mental disease or incompatibility of temperament.

**France:**—*Principal impediments to Marriage* are consanguinity, the statutory period of widowhood in a woman, incest and complicity in adultery. *Principal grounds for divorce* are adultery, violence, cruelty, grave injury and sentence to legal punishment involving corporal confinement and moral degradation. Under a law of 1920, heavy penalties are imposed on *persons advocating the evasion of pregnancy*, or helping to spread ideas inimical to the increase of the population, or selling, or distributing in any way, any articles with this end in view.

**Colony of Madagascar:**—Birth-control by contraceptive measures is not contemplation in any laws or regulations, but voluntary

abortion, save where the mother's life is endangered by the pregnancy, is punishable by two years imprisonment.

**Germany:**—*The principal impediments to marriage* are an existing marriage and consanguinity. A leaflet advising medical examination is given to both parties on applying for banns. *Divorce or judicial separation* may be secured on grounds of adultery, sodomy, attempts against the petitioner's life, wilful desertion or insanity. There is no law against *birth-control*, but the penal code states that whoever displays in a public place, or advertises, or recommends the use of articles for unchaste or lascivious purposes, shall be liable to a fine of 1000 marks and/or imprisonment for not more than one year.

**Republic of Greece:**—The law of *divorce* rests on the Novels of Justinian. but divorce may also be granted for impotence on the husband's part, or in the case of either party suffering from insanity or mental derangement for more than five years.

**Republic of Guatemala:**—*The principal impediments to marriage* are an existing marriage, or an unconfirmed divorce, consanguinity (whether by legitimate or illegitimate birth) adoption, venereal disease, and insanity

**Kingdom of Hungary:**—*The principal grounds for divorce* are desertion combined with infidelity, and conviction of crime punishable by at least five years penal servitude. *Abortion*, in the case of unmarried women, is punishable by two years imprisonment, but maximum penalty in case of married women is one year's imprisonment. *Family limitation*, by means of the control of conception, while condemned by both the Catholic and the Protestant Churches is widely practised by the peasants and small holders, and to a less degree, by the owners of larger properties.

**Kingdom of Italy:**—*The principal impediments to Marriage* are consanguinity, mental disease and impotence. *Divorce* is not allowed in any form.

**Republic of Latvia:**—*The principal impediments to marriage* are consanguinity, mental disease, and communicable venereal disease. *The principal grounds for divorce* are adultery, cruelty, incurable mental or venereal disease and the avoidance of procreation. There is no statutory prohibition of the teaching or practice of birth-control.

**Grand Duchy of Luxemburg:**—Marriage is prohibited—inter alia—within certain degrees of consanguinity, during sentence of imprisonment, and for women within ten months of widowhood. *Divorce*—amongst causes are drunkenness and cruelty.

**United States of Mexico:**—Increasing attention is being paid to the subject of eugenics and discussions thereon have figured in several recent child welfare conferences. A public clinic for birth-control has been opened at Merida.

**Netherlands:**—*Divorce*—the principal grounds are adultery, wilful or malicious desertion, unnatural offences, and imprisonment

for life. Private initiative in the Netherlands was responsible for the first *birth-control* clinic in the world (1885), and there are now similar clinics in all the large towns. The clinics are maintained by the Neo-Malthusian League.

**Norway:**—*The principal impediments to marriage* are consanguinity and affinity, mental disease and communicable syphilis. *The principal grounds for divorce* are adultery, wilful exposure of the other spouse to venereal disease, and imprisonment for three years or more. There is no statutory prohibition of the teaching of birth-control 'per se,' but it is generally held to be prohibited under the statute dealing with indecent publications and articles.

**Russian Federal Soviet Republic:**—Mental deficiency and consanguinity are the principal impediments to marriage. At the second conference of the Russian Maternity and Child Welfare Association in 1923, the causes for *abortion* were fully discussed and resolutions were passed to effect that there should be propaganda as to the harmful effects to the mother and to the future generation. In 1924 the Commissariat of Health set up a commission to inquire into the question of birth-control.

**Armenian Soviet Republic:**—Provision is made by law for institutions where abortions may be carried out, but there does not appear to be any such institutions in existence.

**Kingdom of Sweden:**—*Divorce*—among the causes are:—venereal disease in a communicable form and insanity lasting for three years without reasonable hope of recovery. It is an offence against the Penal Code to expose for sale or to distribute any objects having for their purpose the limitation of families.

**Swiss Confederation:**—*The principal impediments to marriage* are consanguinity and insanity. *Divorce*.—Among the grounds for divorce is incurable mental disease.

**Republic of Turkey:**—A law passed in 1923 requires the medical examination of all persons intending marriage. Violation of this law involves not only severe punishment, but annulment of the marriage.

**United States of America:**—Marriage and divorce is regulated by the laws of the various States:—

**Arkansas:**—*Marriage is prohibited* within certain degrees of consanguinity and between white people and negroes or mulattoes. *Amongst the grounds for divorce* are impotence and habitual drunkenness.

**California:**—Criminals and idiots confined in State institutions are subject to compulsory sterilisation.

**Connecticut:**—Here also criminals and idiots in State institutions are subject to compulsory sterilisation.

**Delaware:**—Marriages between whites and negroes, and of insane persons are null. Grounds for divorce include habitual drunkenness.

**Florida:**—The inter-marriage of white persons and negroes is prohibited. Grounds for divorce include habitual indulgence in violent temper and habitual drunkenness.

**Georgia**:—Marriage between white persons and negroes prohibited. Grounds for *divorce* include habitual intoxication.

**Idaho**:—Habitual drunkenness for one year, insanity and felony are among the grounds for *divorce*.

**Illinois**:—Marriage of first cousins is held to be incestuous and is void. Habitual drunkenness is among the grounds for *divorce*.

**Indiana**:—Marriage between first cousins is prohibited. Criminals and idiots confined in State institutions are liable to compulsory sterilisation.

**Iowa**:—Conviction of felony after marriage and drunkenness, etc. among the grounds for *divorce*. Criminals and idiots in State institutions are liable to compulsory sterilisation.

**Kansas**:—Marriage between first cousins is prohibited, as is the marriage of epileptics and the imbecile and insane, except in cases where the woman is over forty-five. Criminals and idiots in State institutions are liable to compulsory sterilisation. The teaching and practice of methods of birth-control are contrary to law.

**Kentucky**:—Marriages between white persons and black are prohibited and the marriage of insane persons is legally void. Grounds for *divorce* include habitual drunkenness and ungovernable temper.

**Louisiana**:—Marriage between first cousins is prohibited.

**Maine**:—Principal impediments to marriage are insanity, feeble-mindedness and consanguinity. 'Gross and confirmed habits of intoxication' is among the grounds for *divorce*.

**Massachusetts**:—The principal impediments to marriage are insanity and consanguinity. Among the grounds for *divorce* are habitual drunkenness and impotence. The teaching and practice of birth-control are statutory offences.

**Michigan**:—Marriage between first cousins is prohibited and also the marriage of epileptics and of the imbecile and insane (except in cases where the woman is over 45) and of any one who has suffered from venereal disease and is not cured. Criminals and idiots confined in State institutions are liable to compulsory sterilisation. Habitual drunkenness a ground for *divorce*. The Federal obscenity law is held to make the teaching and practice of methods of birth control illegal.

**Minnesota**:—The Marriage of epileptics and the imbecile and insane is prohibited, except in cases where the woman is over 45. Habitual drunkenness a ground for *divorce*. The teaching and practice of birth control are prohibited.

**Mississippi**:—Drunkenness and excessive use of opium or other drugs are among the grounds for *divorce*.

**Missouri**:—Marriage between first cousins is prohibited. Habitual drunkenness for one year a ground for *divorce*.

**Montana**:—Marriage between first cousins is prohibited. Habitual intemperance is a ground for *divorce*.

**Nebraska**.—Marriage between persons of different race and first

cousins is prohibited. Venereal disease is also a bar. Drunkenness is among the grounds for *divorce*. The teaching and practice of methods of birth-control are illegal.

**Nevada** :—Marriage between first cousins is illegal. Habitual drunkenness is a ground for *divorce*.

**New Hampshire** :—Marriage between first cousins is prohibited.

**New Jersey** :—Marriage is prohibited to any person suffering from venereal disease, or who has been confined in any public asylum as an epileptic, insane or feeble-minded patient, unless he can produce a medical certificate of complete recovery. A marriage licence may not be granted to a habitual drunkard. Criminals and idiots in State institutions are liable to compulsory sterilisation. The teaching of methods of birth-control is illegal.

**New York** :—The principal impediments to marriage are consanguinity and physical incapacity. Both parties must make a declaration that they are free from venereal disease. Criminals and idiots in State institutions are liable to compulsory sterilisation.

**North Carolina** :—Marriage between white persons and negroes is prohibited.

**North Dakota** :—Marriage between first cousins is prohibited. Criminals and idiots in State institutions are liable to compulsory sterilisation.

**Ohio** :—Marriage between first cousins is prohibited. Drunkenness is a ground for *divorce*.

**Oklahoma** :—Habitual drunkenness is a ground for divorce.

**Oregon** :—Marriage between white persons and persons of negro, Indian, or Chinese descent and between first cousins is prohibited, and the marriage of the epileptic, the imbecile, and the insane is illegal, save where the woman is over 45. Drunkenness is a ground for *divorce*.

**Pennsylvania** :—Transmissible disease is an impediment to marriage and marriage between first cousins is void. The advertisement or sale of medicines for the prevention of conception is forbidden by law.

**Rhode Island** :—The principal impediment to marriage is lunacy.

**South Carolina** :—The principal impediments to marriage are imbecility, lunacy, difference of race, and consanguinity.

**Tennessee** :—Marriage is prohibited between white persons and negroes and within certain degrees of consanguinity. Habitual drunkenness is a ground for divorce.

**Utah** :—The marriage of a white person and a negro or Mongolian, and of first cousins, is illegal. Insanity lasting for five years is a ground of *divorce*. The teaching of birth-control is illegal.

**Virginia** :—Marriage between white persons and negroes, or persons with any trace of negro blood, is prohibited, and consanguinity is an impediment to marriage.



**Washington** :—Marriage between first cousins is prohibited as is the marriage (unless the woman is at least 45 years of age) of common drunkards, habitual criminals, epileptic, imbecile, feeble-minded, idiot or insane persons, persons who have been afflicted with hereditary insanity, or who are suffering from pulmonary tuberculosis in its advanced stages, or from any contagious venereal disease. Criminals and idiots in state institutions are liable to compulsory sterilisation.

**West Virginia** :—Marriage between white persons and negroes, and of the insane, is prohibited.

**Wisconsin** :—Marriage between first cousins is prohibited. Habitual drunkenness is a ground for *divorce*. Criminals and idiots in state institutions are liable to compulsory sterilisation.

**Wyoming** :—Habitual drunkenness is a ground for *divorce*.

**Territory of Alaska** :—Marriage is prohibited within certain degrees of consanguinity. Habitual drunkenness, contracted since marriage and continuing for a year, is a ground for *divorce*.

**Territory of Porto-Rico** :—Marriage is prohibited to persons not of sound mind and to a widow for 301 days after the death of her husband. Among the grounds for *divorce* are habitual drunkenness and addiction to the excessive use of narcotics. The teaching of methods of birth-control is contrary to law.

**Territory of the Virgin Islands of the United States** :—The principal impediments to marriage are consanguinity, insanity and impotence. Insanity and habitual drunkenness are among the grounds for *divorce*.

(*From the International Year Book of Child Welfare and Protection, 1925.*)